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8 **UNITED STATES DISTRICT COURT**  
 9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 **SHIRLEY R. FLEMING,**  
 11 Plaintiff,  
 12 v.  
 13 **BRANCHFELD &**  
 14 **ASSOCIATES, P.C.,**  
 15 Defendants.

**Case No.: 08-CV-00371 L(BLM)**

**REQUEST TO ENTER DEFAULT  
FOR DEFENDANT  
BRANCHFELD & ASSOCIATES**

**Hon. Larry A. Burns**

**TO: THE CLERK OF THE ABOVE-ENTITLED COURT:**

Plaintiff, Shirley R. Fleming, hereby requests that the Clerk of the above-entitled Court enter default in this matter against Defendant BRANCHFELD & ASSOCIATES, P.C. on the ground that said Defendant has failed to appear or otherwise respond to the complaint within the time prescribed by the Federal Rules of Civil Procedure.

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1 Plaintiff served the complaint on Defendant BRANCHFELD &  
2 ASSOCIATES, P.C. as evidenced by the proof of service of summons on file with  
3 this Court. Defendant was served on March 6, 2008. To date, Defendant has  
4 failed to file a responsive pleading or otherwise respond.

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7 **Dated: July 10, 2008**

Respectfully submitted,

8 **HYDE & SWIGART**

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10 By: /s/ Joshua B. Swigart  
11 **Joshua B. Swigart, Esq.**  
Attorney for the Plaintiff

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